THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26811 OF 2005

Dt.15.12.2005

Between:

Kondaveti Krishna Kumari

… Petitioner

And

The Assistant Commissioner of Endowments,

West Godavari District, Eluru and another. … Respondents

ORDER:

Heard the learned counsel for the petitioner and the learned counsel on behalf of the respondents.

The petitioner submits that she is landless poor and cultivating the land of the 2nd respondent temple admeasuring an extent of Ac.1.63 cents of wetland in R.S.No.69/1 of Valluru Village, Ganapavaram Mandal, West Godavari District. The petitioner made a representation to declare her as landless poor under Section 82 of the A.P.Charitable Hindu Religious Institutions and Endowments Act, 1987 before the first respondent and the first respondent vide proceedings in Rc.No.A4/5872/2003 Adm., dated 11.8.2004 after necessary enquiry found that the petitioner is a landless poor and the

2nd respondent was requested to submit proposals of the tenant as per the surrounding makthas of the private land in that area through the Inspector, Endowments Department, T.P.Gudem. Pursuant to the said proceedings, the petitioner filed a representation before the 2nd respondent on 21.3.2005, but so far the 2nd respondent has not considered and submitted his proposals. Aggrieved by the said action of the 2nd respondent, this writ petition has been filed.

Having regard to the facts and circumstances of the case, I am of the opinion that though the order has been passed by the first respondent on 11.8.2004 pursuant to which the petitioner also made a representation on 21.3.2005, the 2nd respondent ought to have considered and submitted necessary proposals. Without their being any justification, the said representation has not been considered by the 2nd respondent so far. Accordingly, the 2nd respondent is directed to consider and dispose of the representation of the petitioner dated 21.3.2005 pursuant to the order made by the first respondent on 11.8.2004 and send appropriate proposals in terms of section 82(2) of the said Act within six weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J.)

15.12.2005

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